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Dear HCP planning team,

November 21, 2005

Thank you for hosting the meeting on November 18 to discuss the HCP's for grizzly bears, aquatic species, and Canada Lynx. I have not had time to adequately review the HCP's for grizzly bears and aquatic species. However, in general I recommend the following:

General comments

(1) move towards reducing road densities rather than allowing an increase, for the benefit of both grizzly bears and aquatic species. Roads negatively affect many wildlife species in addition to these, both directly and indirectly.

(2) Adopt the most conservative guidelines possible for riparian areas and water quality.

(3) Consider potential habitat quality and the baseline carrying capacity of Montana state lands. Having been a DNRC wildlife biologist for 5 years and worked on over 40 timber sales throughout northwest Montana, my opinion is that Montana state lands provide diverse and generally very high quality habitat for all native wildlife naturally found in the habitats present. The state of Montana had the unusual privilege of choosing the location of the blocked lands, and not surprisingly they chose areas with very productive forests. Many wildlife species also prefer productive forests with abundant water and food sources. DNRC should be held to a standard appropriate for a non-private landowner with productive lands having the potential to support healthy populations of many species.

(4) Use the best available science for all species, and base the HCP's on this, rather than another state's HCP.

(5) For all guidelines agreed to, assess how this might affect species into the future when drastic changes to the surrounding landscape are probable for private lands. Consider that as the available habitat shrinks, what is left must be higher quality to support the same number of individuals. Although a particular habitat feature may not be a known limiting factor today, consider how that might change in the future. Build into the HCP's an adaptive management approach, that requires DNRC to always incorporate new science where appropriate.

(6) Tighten up the "wobble-room" and analyze the cumulative impacts of all the various exceptions that are liberally scattered throughout all three HCP's. While I appreciate the need for DNRC to retain flexibility, this is ridiculous. The exceptions need to be more clearly spelled out and clarified under what conditions they would be applied. Past actions and interviews with long-time foresters can be used to get a better idea of how often exceptions would be applied. For example, in the lynx HCP, timber permits are exempted from having to retain CWD. How much of the salvage volume comes from timber permits?

## Canada Lynx HCP

Please accept the following comments on the HCP for Canada Lynx. I am extremely disappointed in the Lynx HCP. I could find no solid protections for lynx, DNRC makes unsubstantiated claims about the effectiveness of the meager measures they are taking, the plan is a far cry from federal guidelines and waters down DNRC's own administrative rules, and the small concessions DNRC does appear to be making for lynx have so many qualifiers and exceptions as to make uncertain what exactly they would be willing to do for Lynx.

1. 2.1.2 Den attributes *"DNRC will retain potential den sites where naturally occurring concentrations of unmerchantable large downed logs, coarse woody debris (CWD), jack strawed woodpiles, and/or root wads exist. Within project areas where these conditions naturally occur, DNRC will retain two potential den sites pre square mile in lynx habitat"* Why only if they are unmerchantable? This seems to pertain only to old areas of blowdown, and would not pertain to areas of recent blowdown. This is unacceptable for a 50-year plan, and I suggest deleting the word "unmerchantable". How did DNRC come up with 2 den sites per acre? Is this supported by science? What does this mean for a female lynx who is trying to move her kittens a half mile or more between den sites? Will she know where they are, or will she have to wander until she stumbles upon one? Do we even know? How will the energy she expends affect kitten survival? What is the definition of den site in the HCP? DNRC's Canada Lynx species account defines den site as an area located in a coniferous stand with adequate CWD, especially mature and older age stands, at least 3 acres in size, within or adjacent to foraging habitat, having an abundance of CWD at >75 tons/acre (equivalent to 40 9-inch dbh soft logs/150 ft). I suggest you adopt this definition in the HCP, and consult lynx experts for the average (or minimum) distance a female moves her kittens between den sites, and use this for your calculation of number of den sites/square mile.

*"On blowdown salvage timber sales, 1 percent of the area with downed material will be left unsalvaged.....This measure does not apply to timber permits"* Why only a measly 1 percent of the area? How much of the total blowdown is harvested with timber permits? These two statements indicate that the vast majority of blowdown will be harvested. Blowdown probably created many of the historic den sites for lynx and leaving 1 percent (or far less depending on how much is salvaged with permits) seems extremely minimal for maintaining lynx denning sites.

The Canada Lynx Conservation Assessment and Strategy (Ruediger et al. 2000) recommends the following: *"Following a disturbance, such as blowdown, fire, insects/pathogens mortality that could contribute to lynx denning habitat, do not salvage harvest when the affected area is smaller than 5 acres. Exception to this include: 1) Areas such as developed campgrounds; 2) LAU's where denning habitat has been mapped and field verified (not simply modeled or estimated), and denning habitat comprises more than 10% of lynx habitat within a LAU; in these cases, salvage harvest may occur, provided that at least the minimum amount is maintained in a well-distributed pattern."*

DNRC's recommended guidance is a far cry from that in Ruediger et al. (2000). Whereas the federal guidelines do not allow any salvage in small blowdown areas unless there is an abundance of CWD nearby, DNRC essentially allows it all to be taken in a timber permit!

These guidelines do far too little for lynx. The HCP team needs to take a hard look at what these guidelines, which put almost no restrictions on DNRC's salvage operations, could mean for lynx 20, 30, 40 years into the future.

2. 2.1.3 Coarse Woody Debris *"To provide for CWD retention, DNRC will follow Graham et al. (1994) or other publication as mutually agreed to by USFWS and DNRC."* DNRC also makes the following statement on the top of page 2-3: *"By retaining CWD amounts following Graham et al. (1994), DNRC ensures that material that may provide potential den sites will be retained within DNRC project areas across the landscape"*.

Graham et al. (1994) has absolutely nothing to do with lynx or wildlife habitat. This study used ectomycorrhizal activity as a primary indicator of healthy forest soils, and they calculated the optimum amount of CWD for ectomycorrhizal activity for a variety of Rocky Mountain habitat types. The study dealt exclusively with preserving healthy forest soils for timber management. Nowhere does the study indicate that these guidelines will enhance or maintain lynx habitat, or habitat for any other wildlife species, and in fact cautions: *"More material than we recommend might enhance or maintain wildlife habitat, particularly in riparian areas (Harmon and others 1986)"*.

DNRC's own Canada Lynx Species Account (2005) prepared for this HCP, states that breeding sites should be in mature and older age stands, and have an abundance of CWD of over 75 tons/acre. Although the recommendations vary by habitat type, Graham et al. (1994) recommends fewer than 25 tons/acre for all of the forest types in Montana. DNRC's statement that using the Graham et al. (1994) recommendations will ensure lynx denning habitat is unsupported and misleading.

2.2.1 Habitat Suitability In Lynx Management units, DNRC will maintain at least 65 percent of total potential lynx habitat as suitable lynx habitat, and no more than 35 percent as temporary non-suitable lynx habitat. This is different from the ration used on federal lands of 70/30.

One of the reasons DNRC gives is consideration of the sustained yield study and SFLMP considerations. In DNRC's discussion of natural historic patterns and processes in the Lynx HCP, they forgot to even mention the importance of mature and old growth forest for lynx. This is a serious omission given the fact that optimal denning conditions for lynx are found in mature forest. The HCP forgot to mention the fact that the SFLMP coarse filter approach is to maintain the proportion and distribution of forest types and structures historically present, and the habitat conditions that species evolved with. The administrative rules state in section 36.11.407 *BIODIVERSITY - MANAGEMENT ON BLOCKED LANDS (1) Within areas of large, blocked ownership the department shall manage for a desired future condition that can be characterized by the proportion and distribution of forest types and structures historically present on the landscape.* The HCP does not mention the fact that the Stillwater and Swan, where most of the lynx habitat exists on DNRC lands, were historically mostly in mature and old-growth forest. Given these facts and commitments, there should be absolutely no conflict or problem with DNRC maintaining high quality lynx habitat for ALL of the lynx's habitat requirements. However, nowhere in DNRC's lynx conservation strategy could I find any indication of DNRC

acknowledging that mature and old growth forest provides optimal denning habitat for lynx, much less a provision to provide such habitat conditions. This is a serious flaw with the Lynx HCP that needs to be addressed.

This section concludes that they cannot adopt the 70/30 ratio of suitable/non-suitable habitat because it would require an additional constraint to the amount of allowable harvest under even-aged harvest systems, which would negatively affect future harvest volume and returns to state trust beneficiaries. This begs the question: Is the HCP merely a paper exercise? A way to make it sound as if DNRC's current mode of operation will maintain and sustain lynx populations? Does the HCP require absolutely no compromises on DNRC's part? Isn't a HCP a plan to conserve habitat? I couldn't find a single genuine effort, as reflected by some sort of compromise in favor of the lynx, to help lynx populations.

### 2.2.3 Foraging Habitat

DNRC states that they will provide at least 20% of each Lynx Management Area (LMA) in foraging habitat. They state that this is made up of any combination of both winter and young foraging habitat components. This is unacceptable. On page 2-11, and also on page A-3, the document states "*Habitat conditions and food availability, particularly in winter, are likely primary limiting factors for lynx in western Montana (J. Squires, USFS, pers. comm. March 2005).*" If foraging habitat and food availability in winter is the primary limiting factors for lynx in western Montana, why are there no guidelines for this specific component? Why is summer foraging habitat, which is very different, lumped in with the 20%? If winter foraging habitat is the primary limiting factor for lynx, a threshold number for winter foraging habitat should be specified, below which DNRC can not go.

Page A-4 describes winter foraging habitat as stands having at least 10% canopy closure in trees  $\geq 9$  inches dbh, and that it must have a minimum of 40% total stand crown density in understory and overstory combined. These are very minimal requirements to describe mature forest habitat!

I suggest this description be scrutinized by a lynx expert, who is also familiar with forestry descriptions.

### SFLMP and Administrative Rules

I could not find, in this HCP, a discussion of DNRC's commitments to lynx in the SFLMP and administrative rules. But several statements from the rules are pertinent to the above points raised. The DNRC administrative rules state:

#### 36.11.435 THREATENED AND ENDANGERED SPECIES - CANADA LYNX

(4) The department shall not salvage within stands identified as necessary to meet denning habitat requirements.

When conducting forest activities on blocked portions of the Stillwater, the Swan River, or Coal

Creek State forests, the department shall adhere to the following:

36.11.435 (a) The department shall identify and retain denning habitat on approximately 5% of the total lynx habitat acreage (sum of denning, young foraging, mature foraging, and temporary non-lynx habitat) within each applicable grizzly bear BMU subunit in patches greater than or equal to 5 acres (larger preferable).

(i) The department may salvage in mature foraging stands, provided that understory sapling densities are not reduced below the moderately stocked condition, and CWD abundance is enhanced or not appreciably altered.

These commitments from the rules should be included in the HCP.

Please keep me on your mailing list, and inform me of any activity regarding this and other HCP's.

Sincerely,

Jane Adams  
President, MOGP